



## CERTIFICATE OF MAILING

RECEIVED 6/1/03

MAY 01 2003

TECH CENTER 1600/2900

I hereby certify that this paper is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231, on the date indicated below.

Chris Myers

Date

April 18, 2003

7/ Election  
c/m  
4-18-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

<b><u>Response to Restriction Requirement</u></b>  <b>Address to:</b> Assistant Commissioner for Patents Washington, DC 20231	<b>First Named Inventor</b>	Susanne Buser <i>et al.</i>
	<b>Application Number</b>	10/071,570
	<b>Filing Date</b>	February 8, 2002
	<b>Group Art Unit</b>	1614
	<b>Examiner</b>	Kwon, Brian Yong S
	<b>Attorney Docket No.</b>	R0134A-REG
	<b>Title</b>	The Use Of NK-1 Receptor Antagonists Against Benign Prostatic Hyperplasia

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**Response to Restriction Requirement**

This communication is responsive to the Office Action mailed on March 25 2003 in the above-identified case. In that Office Action the Examiner required an election of either: Group (A), claim 25, directed to a composition containing NK-1 receptor antagonists; or Group (B), claims 1-24, directed a method of treating BPH.

Applicants elect group (B), claims 1-24, without traverse.

Respectfully submitted,

Robert C. Hall  
Attorney for Applicants  
Reg. No. 39,209

Roche Palo Alto LLC  
Patent Law Department A2-250  
3401 Hillview Avenue  
Palo Alto, CA 94304

(650)-855-5311

Date: April 18, 2003

(clerk) 650-354-7540